

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

MEETING MINUTES

AUGUST 23, 1993

A special meeting of the Manistee City Planning Commission was held on Monday, August 23, 1993 at 7:00 P.M. in City Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan, pursuant to proper legal notice.

The meeting was called to order at 7:03 P.M. by Chairman Roger Yoder.

MEMBERS PRESENT: R. Bauman, R. Bruchan, J. Carter, R. Franckowiak, D. Johnson, J. Lakos, A. Slawinski, K. Thompson, R. Yoder

MEMBERS ABSENT: None

OTHERS PRESENT: Jon Rose (City Code Administrator), Terry Beier (DSLT), Shirley Lidtke (341 4th Ave.), Richard & Rose Smejkal (344 4th Ave.), Cindy Leach (6064 Adacraft, Grand Rapids), Tom Culbert (514 5th Ave.), Daryl & Karen Goodman (329 1st Ave.), Gary Schrader (5 Lakeview Ave.) and Charles Roberts (515 4th Ave.)

PUBLIC HEARING:

AMENDMENT TO CHANGE WATERFRONT SETBACKS FROM 100 TO 50 FEET-

[Secretary's note: The following public hearing minutes were prepared in a summary manner only, not in a formal transcript form.]

Hearing was opened by Rose who gave an explanation of the reason for the suggested amendment. The change would make the waterfront setbacks uniform across the district.

T. CULBERT Indicated that he desires to build a sun room on his home, which existed prior to the construction of the channel. His home is located 29 feet from the channel and the proposed addition would be approximately 40 feet from the water. (Rose and Johnson provided some input on setbacks.)

C. LEACH Inquired as to area covered by the R-2 District. (Rose provided a copy of zoning map.)

R. SMEJKAL Asked about the waterfront setbacks for the condos. (Rose explained that the development was a PUD and how a PUD may affect setbacks.)

There being no further questions or comments, the hearing was closed at 7:13 p.m. and the next hearing was called to order.

AMENDMENTS TO SECTION 1404 - SPECIAL USE IN RESIDENTIAL DISTRICTS USE STANDARDS-

Rose explained the purpose of the amendments, which would:

1. Add Marina to the opening paragraph of the section as a special use not requiring frontage on a listed primary street, and

AMENDMENTS TO SECTION 1404 - (continued)

2. Add Veterans Oak Grove Drive to the list of primary streets as found in 1404.(1)

C. LEACH Requested further clarification, which was provided by Rose.

There being no further questions or comments, the hearing was closed at 7:20 p.m. and the next hearing was called to order.

MODIFICATION OF HARBOR VILLAGE P.U.D.

Terry Beier explained the reason for the requested amendments. A tentative agreement has been reached with Gary Schrader concerning his property and pending litigations. If approved, the development would receive the Schrader property and add it to the project's PUD and have the remaining portion of Second and Lakeview Avenues associated with the Schrader property vacated. In exchange Schrader would receive a parcel of property between 2nd & 3rd Avenues, to which he would move his home, which would be removed from the PUD. The changes to the PUD would be:

1. The addition of the Schrader property on the west side of the development would add an additional building lot (#32), provide additional private parking and remove a bump in the channel wall as an aid to navigation;
2. The exchange of property and its deletion from the PUD on the east side of the development would change the site from six building sites fronting on a cultisac to three building sites fronting on Monroe Street. The new Schrader property would have access to Second Avenue.

The hearing was then opened to questions and comments.

S. LIDTKE Stated that since the contract is being opened for another realignment, the city should negotiate with the development to have the wooded dune to the west of Red Szymarek Park added to the park.

G. SCHRADER Felt that proposed change would provide gain for all parties involved. He also felt that Ms. Lidtkke's suggested change be handled as a separate issue.

R. SMEJKAL Asked how much additional work could go on if the exchange is approved.

ROSE/BEIER Explained that any additional changes must be done contractually with the City Council.

BAUMAN Expressed questions concerning possible problems with pending litigations. (Rose provided basic information.)

There being no further questions or comments, the hearing was closed at 7:35 p.m. and a short recess was called. Following the recess, the meeting was called to order at 7:42 p.m. to consider the public hearing matters.

WATERFRONT SETBACKS-

The waterfront setbacks question was discussed, along with setback problems encountered by Mr. Culbert and other parcels fronting on the new channel. Following discussion, it was moved by Bauman, supported by Slawinski, to amend Section 4004 B.(4.), Section 4204 D.(4.) and 4604 C.(1.d) to change the minimum waterfront setback from one hundred (100) feet to fifty (50) feet to make the setback consistent throughout the city. MOTION CARRIED.

It was moved by Lakos, supported by Carter, to recommend to the Zoning Board of Appeals that variances on waterfront setbacks for those parcels affected by the channel of Harbor Village development project and who are outside of the project's P.U.D. boundaries, be granted, but limited to no closer than the existing structure on each parcel. MOTION CARRIED

AMENDMENTS TO SECTION 1404 - SPECIAL USES IN RESIDENTIAL DISTRICTS

Discussion then followed on the proposed amendments to section 1404. Following discussion, it was moved by Bruchan, supported by Lakos that Section 1404 be amended to add an additional exempted use and primary street, as follows:

Any Special Use, except Apartment Building, Hotels and Motels located in a converted single family dwelling, Religious Organization [866], Adult Foster Care Small Group Home - not to exceed 8 Adults, Marinas and Planned Unit Development, to be located in a Residential District shall conform to the following standards:

1. Shall have frontage on one of the following roads: Washington, Maple, First Streets, Eighth Street east of Cypress Street, Veterans Oak Grove Drive, and those streets which were the pre-1955 route of U.S.-31.

MOTION CARRIED.

P.U.D. AMENDMENTS-

Discussion then followed on the PUD amendments. Some of the questions raised included: size of the new lots, vacating of those portions of Second and Lakeview Avenues associated with the Schrader property, the zoning classification of the new Schrader property [R-2], installation of new blacktop at the end of Second Avenue and review of the submitted site plan for the Schrader property.

It was moved by Lakos, supported by Bauman, to recommend to the City Council that the proposed changes to the Harbor Village P.U.D., as shown in drawings numbers 1 through 4 and dated August 23, 1993, be approved. MOTION CARRIED.

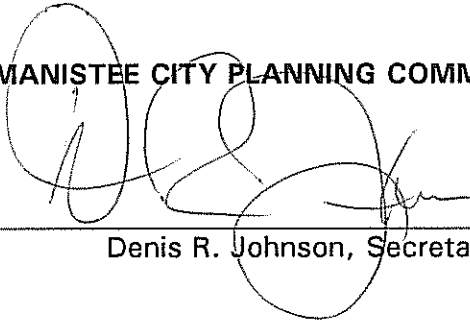
It was moved by Franckowiak, supported by Lakos, to recommend to the City Council that those portions of Second and Lakeview Avenues associated with the Schrader property be vacated. MOTION CARRIED.

ADJOURNMENT:

There being no further business, it was moved by Lakos, supported by Slawinski, that the meeting be adjourned. MOTION CARRIED.

The meeting adjourned at 8:15 p.m.

MANISTEE CITY PLANNING COMMISSION



Denis R. Johnson, Secretary